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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

2013 DEC 16 P 1:52

ARIZONA CORP COMMISSION
DOCKET CONTROL

J. ALAN SMITH,
COMPLAINANT,

VS.

PAYSON WATER CO., INC. /BROOKE
UTILITIES, INC.

RESPONDENT.

DOCKET NO. W-03514A-12-0007
Arizona Corporation Commission

DOCKETED

DEC 16 2013

DOCKETED BY

PROCEDURAL ORDER

BY THE COMMISSION:

On January 10, 2012, J. Alan Smith ("Complainant") filed with the Arizona Corporation Commission ("Commission") a Formal Complaint against Payson Water Co., Inc. ("Payson Water" or "Company") and Brooke Utilities, Inc.

On October 30, 2013, a Procedural Conference was held to discuss pending motions relating to discovery and other procedural matters. The Complainant, Company and the Commission's Utilities Division ("Staff") appeared through counsel. The pending motions were taken under advisement and no further hearing dates have been set in this matter.

On November 12, 2013, counsel for the Complainant, Michael J. Harper and the law firm of Walker & Harper, PC ("Counsel"), filed a Motion to Withdraw as Counsel of Record With Client Approval ("Motion"). In the Motion, Counsel states that the Complainant wishes to return to self-representation in this case. The Motion bears the signature and approval of the Complainant.

Good cause having been shown, and no objections appearing, the Motion should be granted.

IT IS THEREFORE ORDERED that Counsel's Motion to Withdraw as Counsel of Record With Client Approval is hereby granted.

IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules

of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro hac vice*.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) applies to this proceeding and shall remain in effect until the Commission's Decision in this matter is final and non-appealable.

IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 16th day of December, 2013.



SCOTT HESLA
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered
This 16th day of December, 2013 to:


Jim Pearson
Pearson Transport/Pearson Water
1120 Rodeo Rd.
PO Box 193
Williams, AZ 86046-0193
**(SERVICE BY CERTIFIED AND
REGULAR U.S. MAIL)**

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